United Nations A/73/390

General Assembly

Distr.: General
21 September 2018

Original: English

Seventy-third session
Item 10 of the provisional agenda
Return or restitution of cultural property to the countries of origin

Return or restitution of cultural property to the countries of origin

Report by the Secretary-General

Summary

The present report provides a summary of the activities undertaken by the United Nations Educational, Scientific and Cultural Organization in combating illicit trafficking in cultural property and promoting its return to the countries of origin or restitution in the case of illicit appropriation, since the previous report submitted to the General Assembly on the matter, in 2015 (A/70/365). It includes recommendations for the protection of cultural heritage and cultural property.

18-12931 (E) 021018

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I. Introduction

1. The present report is submitted in accordance with General Assembly resolution 70/76, in which the Assembly requested the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), to submit to it, at its seventy-third session, a report on the implementation of the resolution. The report contains information regarding activities undertaken between 2015 and 2018.

II. Ratification of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

2. Since 2015, Benin, Botswana, Djibouti, Ethiopia, Ghana, Lao People's Democratic Republic, Monaco and the United Arab Emirates have become party to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970 Convention), bringing the number of States parties to 137.

3. Furthermore, since 2012, Bosnia and Herzegovina, Botswana, the Lao People's Democratic Republic, South Africa, the Syrian Arab Republic and Tunisia have become parties to the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, adopted by the International Institute for the Unification of Private Law in 1995, bringing the number of States Parties to 43.

III. Statutory meetings

4. The third session of the Subsidiary Committee of the Meeting of States Parties to the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property took place from 28 to 30 September 2015 at UNESCO headquarters. At that session, the Subsidiary Committee examined national reports submitted by member States on measures taken in application of the Convention and requested the Secretariat to present an updated format of the questionnaire on national reports. Additionally, the Committee discussed proposals for the implementation of a road map for the fulfilment of the functions of the Subsidiary Committee, as previously adopted during its extraordinary session held on 18 May 2015. Concrete decisions were adopted covering various implementation activities dedicated to the promotion of the Convention, ranging from capacity-building workshops to awareness-raising initiatives.[1]

5. The fourth session of the Subsidiary Committee took place at UNESCO headquarters, in Paris, from 26 to 28 September 2016. In their joint meeting, the chairpersons of the UNESCO conventions on culture echoed the call to encourage the exchange of information and synergies among the treaties. The secretariat presented the "Standard action plan for the return and restitution of cultural property", underlining that the document is an indicative tool at the disposal of Member States. Furthermore, several other topics were discussed, including the online sales of

[1] United Nations Educational, Scientific and Cultural Organization (UNESCO), document C70/15/3.SC/Decisions, available at www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/3SC_List_of_Decisions_EN.pdf.

cultural objects, illicit trafficking of documentary heritage and the repatriation of ceremonial objects and human remains.[2]

6. The twentieth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation took place at UNESCO headquarters on 29 and 30 September 2016. With regards to the only pending case before the Committee, regarding the Parthenon sculptures, the Intergovernmental Committee acknowledged Greece's request to launch a mediation procedure and the fact that the United Kingdom declined to accede to this request. The Committee welcomed the development of the ArThemis database on return and restitution cases.[3]

7. The fourth Meeting of States Parties to the 1970 Convention was held on 15 and 16 May 2017 at UNESCO headquarters. As follow up to the findings of the Internal Oversight Service regarding the evaluation of UNESCO standard-setting work in the culture sector (see the 1970 Convention, part II), States parties further discussed the recommendations concerning capacity-building and awareness-raising, international cooperation, dialogue and partnerships, periodic reporting and identifying key challenges. Additionally, States parties discussed the relevance of Security Council resolutions 2199 (2015), 2253 (2015) and 2347 (2017) and highlighted the importance of regularly providing information on their implementation of these resolutions, as well as any information regarding artefacts seized within their territories originating from Afghanistan, Iraq, Libya, Mali, the Syrian Arab Republic or Yemen. The States parties also welcomed the new questionnaire for the 2019 reporting period, in addition to approving the budget for the fund of the 1970 Convention.[4]

8. During its fifth session, held from 17 to 19 May 2017, the Subsidiary Committee discussed the importance of educational and awareness-raising activities on the illicit trafficking of cultural property. By encouraging the development of e-learning options and online informative videos on preventive measures, the Committee welcomed the creation of the University Twinning and networking scheme on the fight against illicit trafficking of cultural property and considered the project an appropriate method to strengthen and develop educational tools related to the fight against illicit trafficking. Furthermore, in view of the celebration of the fiftieth anniversary of the 1970 Convention in 2020, the Committee requested the development of a questionnaire to identify potential measures to strengthen the implementation, efficiency and visibility of the Convention in all its aspects — legal, political and structural — including the opportunity to establish a list of good practices. Moreover, the Committee welcomed the proposal to develop an electronic tool for the periodic reporting exercise[5] to monitor the implementation of the 1970 Convention.

9. The sixth session of the Subsidiary Committee took place on 28 and 29 May 2018 at UNESCO headquarters. During this session, discussions focused on States parties' responses to the questionnaire regarding the means of strengthening the implementation, efficiency and promotion of the 1970 Convention. On this occasion, Member States emphasized the need to strengthen the link between the Subsidiary Committee and the Intergovernmental Committee. Moreover, the Committee welcomed representatives from Iraq, Libya, the Syrian Arab Republic and Yemen to

[2] UNESCO, document C70/16/4.SC/Decisions, available at www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Final_Decision_4SC.pdf.

[3] UNESCO, document ICPRCP/16/20.COM/Decisions, available at www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/ICPRCP_final_01.pdf.

[4] UNESCO, document C70/16/4.SC/Decisions.

[5] UNESCO, document C70/17/5.SC/Decisions.REV, available at www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/5SC_FINAL_EN_REV.pdf.

discuss the current challenges and risks regarding the protection of cultural heritage. Furthermore, the Committee was a platform for fruitful exchanges of good practices. Armenia, Mexico, Sweden and the Bolivarian Republic of Venezuela presented cases to the Committee in this regard.

10. The twenty-first session of the Intergovernmental Committee took place on 30 and 31 May 2018 at UNESCO headquarters. A new case was presented before the Committee regarding the Broken Hill skull (Zambia and the United Kingdom of Great Britain and Northern Ireland), in addition to the case of the Parthenon sculptures (Greece and the United Kingdom). In both cases, the Committee encouraged the parties involved to reach a mutually agreeable solution. The Committee also requested that a day be allocated to a forum of discussions on return and restitution of cultural property and to establish a working group for the revision of the rules of procedure of the Intergovernmental Committee, which will meet in May 2019.

IV. Legal and practical tools

11. The legal and practical tools developed by UNESCO and its partners to facilitate and improve the implementation and raise awareness of the 1970 Convention and the Intergovernmental Committee have focused particularly on capacity-building activities and workshops.

UNESCO Database of National Cultural Heritage Laws

12. The database currently contains 2,914 national cultural heritage normative instruments from 189 countries. According to statistics, the page generates on average 4,700 hits and a set of 813,000 prints per month. The Secretariat has recently also developed a new brochure, dedicated to the database, that is available in the six official languages of UNESCO. However, additional support is needed to ensure the sustainability of the database.

ArThemis database on the resolution of disputes involving cultural heritage

13. In March 2018, UNESCO signed a partnership agreement with the Art Law Centre at the University of Geneva for the development of the ArThemis database, which will gather records of case studies of return and restitution that have been solved without litigation. The ArThemis database will be openly available to the public.

Web alerts in the event of theft of cultural property

14. UNESCO receives regular requests from States to publish international online alerts on stolen cultural property and to thereby contribute to international awareness-raising and cooperation efforts to facilitate the restitution of objects through "theft alerts". These alerts are communicated to partners and other member States and published on the 1970 Convention website. Additionally, UNESCO immediately alerts the International Criminal Police Organization (INTERPOL) and other relevant specialized police units, customs and main art market operators.

15. From September 2015 to May 2018, UNESCO received 23 alerts from Greece, 6 alerts from Bolivia, 4 alerts from Peru, 3 alerts from Ecuador, 1 alert from Burkina Faso, 1 alert from Chile and 1 alert from the Syrian Arab Republic, bringing the total number of thefts reported on the 1970 Convention website to 39.

V. Awareness-raising activities

Campaigns to combat the illicit trafficking of cultural property

16. UNESCO joined efforts with the tourism industry to raise awareness among travellers and the general public of the importance of sustainable tourism and the need to protect cultural heritage. In November 2015, the travel company Lonely Planet France[6] published a text on its website warning tourists about the risks of illicit trafficking in cultural property. An article was included in hardcopy versions of the travel guides of countries where movable cultural property is particularly at risk.

17. UNESCO has produced 13 awareness-raising video clips, featuring different countries and regions across the world, including East Africa, West Africa, Asia, South-East Asia, Europe and the Caribbean, on the fight against illicit trafficking in cultural property, to be broadcast on the UNESCO website. Several of the video clips have been disseminated in airports and travel hubs around the world.

18. In follow-up to the campaign carried out in conjunction with the Comité Colbert, UNESCO launched a new joint campaign in July 2016, on social networks and in public spaces in Madrid, Barcelona and Valencia, Spain, to raise awareness on the value of heritage and creativity. Given the popularity of the campaign, and in consultation with the Comité Colbert, the initiative has also been carried out in Argentina, and work on developing the initiative for Eastern Europe, Asia, Latin America, Africa and Arab States is in progress.

19. Within the framework of the agreement with the Prussian Cultural Heritage Foundation signed in May 2015,[7] UNESCO started an awareness-raising campaign in the national museums in Berlin, including the Pergamon Museum, concerning the fight against the illicit trade of artefacts from Iraq and the Syrian Arab Republic. The campaign focuses on the dissemination of awareness-raising materials for the public.

20. The University Twinning and networking scheme of experts and expert institutions on the fight against illicit trafficking of cultural property was established.

Regional campaigns to combat the illicit trafficking of cultural property

21. A regional awareness-raising campaign, funded by the Spanish Agency for International Development Cooperation, was undertaken in Algeria, Mauritania, Morocco and Tunisia. In addition to the production of communication media (posters, postcards and stickers), an awareness-raising video dedicated to the fight against trafficking in the Maghreb region was produced for local communities. For children, several cartoons on heritage were also published and adapted to each of the four countries.

22. A project funded by the Spanish Agency for International Development Cooperation, which includes a comprehensive public awareness-raising campaign[8] and the production and distribution of materials through various media (audiovisual, radio and press), is currently being implemented in Central America. A number of seminars are also being conducted in universities to raise awareness of students on the issue of trafficking of cultural property.

Educational and youth-related activities

23. With a view to promoting the integration of the topic into formal and non-formal education, the Secretariat has produced toolkits for students and teachers such as the

[6] See www.lonelyplanet.fr/article/nemportez-pas-le-patrimoine-des-autres-dans-vos-bagages-1.

[7] See www.preussischer-kulturbesitz.de/en.html.

[8] See www.youtube.com/watch?v=UVsvG0R0IX4.

"Cultural heritage in a box" toolkit in Mongolia.[9] This toolkit included specimens of cultural objects, images, games and multimedia materials to educate children on cultural heritage in an interactive, educational and entertaining way, as well as guidelines for teachers that included historical and cultural information on selected themes.

24. To highlight the successful restitution of looted artefacts to Iraq, the UNESCO Baghdad office, in close cooperation with the State Board of Antiquities and Heritage of Iraq and the National Museum of Iraq developed a series of communication materials, including posters, postcard and leaflets. The materials feature iconic cultural objects that were stolen and returned to Iraq and underline the significance of each piece and the conditions of its restitution. The Ministry of Foreign Affairs of Norway funded that activity.

25. The UNESCO Baghdad office also produced television clips that garnered a wide response from the Iraqi community. The content of the video clips was also produced in comic book form in Arabic to engage youth on the importance of protecting heritage and preventing illicit trafficking.[10]

26. In order to raise awareness among children in Iraq about the importance of cultural heritage protection and the need to counter illicit trafficking in cultural property, two mobile application games based on the character "Sarmad the Adventurer" were developed with financial support from Norway and Switzerland. The games were created in Arabic and English and are being disseminated in Iraqi primary schools. A first "Cultural Heritage Play Day" was organized at the Harsham internally displaced person camp in Erbil on 24 November 2016, where the game was distributed to the pupils. Two hundred primary school children participated in the play day. The programme included the screening of one of the video clips, followed by an interactive discussion with the children on their heritage, what it means to them and how they can stand up for its protection.

27. In recognition that armed conflict increases the risk of theft and trafficking, a new video clip was produced in May 2017 by the UNESCO office in Beirut, within the framework of the Emergency Safeguarding of the Syrian Cultural Heritage project, funded by the European Union. It was launched in airports, travel agencies and museums.[11]

Unite4Heritage campaign

28. The Director-General of UNESCO launched the Unite4Heritage campaign[12] in March 2015 at the University of Baghdad, Iraq, to celebrate and safeguard cultural heritage and diversity around the world and to raise awareness among young people of the value of cultural heritage and the need to protect it.[13]

29. Thanks to the contribution of the Norwegian Government, communication materials about the importance of safeguarding the cultural heritage of Iraq were produced and disseminated, and a four-minute video highlighting the country's cultural diversity and heritage were posted online.[14]

30. An exhibition entitled "Palmira en Villa Ocampo", was opened on 27 April 2016 in Villa Ocampo, Argentina, to raise awareness in Latin America on the deliberate

[9] UNESCO, "Cultural heritage in a box", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/publications/cultural-heritage-in-a-box-mongolia/.

[10] See www.youtube.com/watch?time_continue=1&v=tU6mLmBeHW4.

[11] See www.youtube.com/watch?v=J-WDjZvvyD4&t=26s.

[12] See www.youtube.com/watch?v=tatlk9hQAZo.

[13] See www.unite4heritage.org/.

[14] See www.youtube.com/watch?v=eGZ241XBIDY.

destruction of cultural heritage in the Syrian Arab Republic, using the emblematic example of Palmyra.[15]

31. Two concerts were organized by the International Philharmonic Choir in Paris on 8 and 16 June 2016, and communication materials[16] were disseminated.

32. An international campaign, entitled "Yemeni Heritage Week — Museums United for Yemen", was organized by the UNESCO office in Doha from 24 to 30 April 2016. The objective was to raise awareness among the public at large about the wealth of cultural heritage in Yemen that is at risk due to conflict.

33. A Unite4Heritage workshop was held on 17 May 2016 in Samarkand, Uzbekistan, to raise awareness among museum professionals from Uzbekistan of the fight against the illicit trafficking in cultural property.

34. A video clip entitled "Have you ever heard of blood antiquities?" was produced in cooperation with the Association for Research into Crimes against Art, as part of the Unite4Heritage campaign in support of the workshop held in April 2018 in Beirut to counter the illicit trafficking of antiquities in the Mashreq.[17]

VI. Training

35. UNESCO has continued to undertake extensive training and capacity-building programmes in all regions of the world, in particular Eastern and Southern Africa, the Middle East, Latin America and Asia.[18] Further details on these activities are integrated throughout the remainder of the present report.

VII. International cooperation

Cooperation with intergovernmental and non-governmental organizations

36. UNESCO cooperation has increased even further with partners such as International Institute for the Unification of Private Law, INTERPOL, the World Customs Organization, the United Nations Office on Drugs and Crime (UNODC) and the International Council of Museums. Those strong partnerships are based on the complementarity of activities and expertise within the field of illicit trafficking of cultural property and are key to promoting the restitution of stolen and/or illicitly exported cultural property, capacity-building, recovery and reconstruction, and assessment and monitoring of information. They have helped strengthen and facilitate the creation of national and regional networks among law enforcement agencies, which in turn has ensured better implementation of the 1970 Convention and an overall better participation of relevant stakeholders in all activities and initiatives related to the illicit trafficking of cultural property.

37. On 1 June 2018, UNESCO held an international conference on the theme "Circulation of cultural property and shared heritage" at UNESCO headquarters. The high-level meeting included a panel of ministers from Benin, France, Gabon, Germany, Jordan, Lebanon, Peru and Senegal in charge of cultural heritage and

[15] UNESCO, "The lion of Al-side Palmyra (Syrian Arab Republic) in the heart of villa Ocampo", available at www.unesco.org/new/en/media-services/single-view/news/the_lion_of_al_side_palmyra_syria_in_the_heart_of_villa_oc/.

[16] Chœur et Orchestre Philharmonique International, "le Requiem de Dvořák, 8 et 16 juin 2016!", 28 Janvier 2016. Available at www.lechoeurcpi.fr/actualites/le-requiem-de-dvorak/.

[17] See www.youtube.com/watch?v=ZxeUN_B8AgA.

[18] UNESCO, "Capacity-building and workshops", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/capacity-building/.

featured three round tables at which new forms of cooperation, ethical considerations and the role of museums concerning the circulation of cultural property were discussed. The conference provided a key platform for decision makers and cultural professionals to renew the debate on shared heritage and build critical momentum for the future. Participants called on UNESCO to continue to play the role of facilitator in the process of returning cultural property to countries of origin.

Cooperation with the European Union

38. UNESCO organized, on 9 and 10 June 2016, in partnership with the European Union and with the support of the government of Flanders, a high-level meeting and technical conference in Brussels to underline the links between culture and international security and promote its integration in relevant policies.[19] The high-level event underlined the importance of culture in the lives of individuals affected by conflict and humanitarian crises and supported the development of policies and activities to better take into account culture and its potential in the work of the humanitarian and security sectors.

39. In March 2017, UNESCO launched, in cooperation with the European Union, the implementation of a two-year project entitled "Engaging the European art market in the fight against the illicit trafficking of cultural property".[20] The project is aimed at engaging European art market stakeholders in the fight against illicit trafficking in cultural property, with a particular focus on — but not restricted to — items originating from countries in a conflict situation or affected by natural disasters. In addition, it is expected that the project will strengthen the exercise of due diligence in European art commercial transactions while making the stakeholders concerned aware of the various implications of the illicit trafficking in cultural property. It is also expected to enhance the capacities of the 28 member States of the European Union to efficiently protect their cultural heritage both inside and outside their borders. One of the outcomes of this project will be the development of a massive online open course.

40. UNESCO is implementing a project funded by the European Union, entitled "Training magistrates and police forces of the European Union in the fight against the illicit trafficking of cultural property". The purpose is to enhance participants' knowledge of the main international instruments and tools and to strengthen the capacities of member States to protect cultural heritage inside and outside community borders.

41. UNESCO and the International Institute for the Unification of Private Law are also cooperating closely with the European institutions in an advisory capacity on the preparation of a project on import certificates on cultural property for the European Union.

Cooperation with the art market

42. UNESCO continues to foster constructive and active cooperation with key stakeholders in the art market regarding the fight against illicit trafficking and in particular the implementation of due diligence requirements. In October 2015, UNESCO launched, together with the Conseil des ventes volontaires, a joint initiative to enhance the vigilance of the art market regarding the provenance of cultural

[19] See UNESCO, "Cultural diversity under attack: protecting heritage for peace", available at https://en.unesco.org/cultural-diversity-under-attack-2016.

[20] UNESCO, "Engaging the European art market in the fight against the illicit trafficking of cultural property", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/partnerships/european-union/due-diligence-in-the-art-market/.

property, with particular attention to archaeological artefacts originating from Iraq and the Syrian Arab Republic.[21]

43. On 30 March 2016, UNESCO, in partnership with the Conseil des ventes volontaires, organized a one-day round table focused on the art market and its important role in the fight against the illicit trafficking of cultural property, entitled "The movement of cultural property in 2016: regulation, international cooperation and professional diligence for the protection of cultural heritage". Art market stakeholders, including representatives of auction houses and online platforms, museum representatives, cultural heritage experts, specialized intergovernmental and non-governmental organizations and member States participated in the conference, which took place at UNESCO headquarters, in Paris.

44. On 30 November 2017, UNESCO took part in an event organized by the "Marché de l'art" association of the École du Louvre, in France, to introduce to academics the international legal framework governing the protection of cultural property and the duties of art market professionals in terms of ascertaining the origin of cultural property items in commercial transactions.[22]

45. UNESCO took part in an event on the theme "Transparency and information" at the European Fine Art Fair, held on 7 March 2018 in Maastricht, the Netherlands, to examine issues regarding the verification of the origin of artefacts, the evolution of the concept of due diligence and the fight against the illicit trafficking of cultural objects.

VIII. Emergency activities

Security Council resolutions

46. Following the adoption of Security Council resolution 2199 (2015), the Director-General of UNESCO organized a restricted high-level meeting at Paris headquarters on 1 April 2015. The goal of the meeting was to strengthen coordination mechanisms between UNESCO and its partners and to map out the effective implementation of resolution 2199 (2015) with a view to countering more effectively the illicit trade of Iraqi and Syrian cultural heritage.

47. With the involvement of the Analytical Support and Sanctions Monitoring Team of the Security Council, INTERPOL, the World Customs Organization, the International Institute for the Unification of Private Law, UNODC, the International Centre for the Study of the Preservation and Restoration of Cultural Property, the International Council on Monuments and Sites, the International Council of Museums, the International Federation of Library Associations and Institutions and the International Council on Archives, a timeline and road map were agreed upon for international actions among these partners focused on coordination mechanisms for information-sharing and joint actions, as well as the establishment of a network with focal points from each organization to facilitate information exchange and expedite responses to emergency situations. A set of guidelines for States to take effective national measures for the implementation of resolution 2199 (2015) was also agreed upon.

48. On 5 May 2015, the Director-General of UNESCO sent all member States the above-mentioned set of indicative guidelines for the effective implementation of paragraph 17 of resolution 2199 (2015) at the national level and called on them to

[21] See www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/MESSAGE_UNESCOCVV_FINAL.pdf.

[22] See www.youtube.com/watch?v=c79d-C_c3GE&t=6s.

inform UNESCO on the measures implemented at the national level to comply with resolution 2199 (2015).[23]

49. Pursuant to Security Council resolution 2199 (2015), UNESCO shared information on actions undertaken by Member States regarding the implementation of the above-mentioned resolution with the Analytical Support and Sanctions Monitoring Team, together with recommendations, which included a series of counter-measures to be implemented by Member States to mitigate the financing of terrorism through trafficking of cultural property. The Director-General of UNESCO informed member States of these recommendations on 11 January 2016[24] and called on them to report to UNESCO any information on the artefacts seized within their respective territories originating from Iraq and/or the Syrian Arab Republic.

50. To ensure the effective implementation of resolution 2199 (2015) at the international level, the Director-General convened, on 26 January 2016, a videoconference with the heads of INTERPOL, the International Institute for the Unification of Private Law, UNODC and the World Customs Organization. UNODC undertook a similar initiative on 23 May 2016 at its headquarters in Vienna. A third videoconference with the above-mentioned partners and the Analytical Support and Sanctions Monitoring Team was organized on 22 March 2017 to continue the follow-up of the implementation of Security Council resolutions to fight against illicit trafficking in conflict areas and develop future joint actions.

51. In April 2016, the Analytical Support and Sanctions Monitoring Team, with the support of UNESCO, published two documents related to the implementation of resolution 2199 (2015). The report of the Monitoring Team (S/2016/213) documents the main challenges encountered in the implementation of the resolution, including a detailed analysis of illicit trafficking of cultural artefacts. Document S/2016/210 includes the recommendations of the Monitoring Team to the Security Council for an effective follow-up at the international level.

52. The above-mentioned videoconferences also served as a follow-up to resolution 2253 (2015) (adopted in December 2015), which builds on resolution 2199 (2015), and highlighted, among other points, the importance of developing strong relations with the private sector in countering the financing of terrorism and the laundering of the proceeds from that crime, as well as strengthening due diligence processes.

53. In paragraph 15 of resolution 2253 (2015), the Security Council calls upon Member States to take the necessary measures to fulfil their obligation under paragraph 12 of resolution 2199 (2015) and to report interdictions related to "antiquities". The Director-General sent four circular letters to invite member States to strengthen information-sharing on measures adopted nationally in this regard.[25] The most recent letter, dated 18 May 2016, included a reporting tool developed by UNESCO in consultation with the Analytical Support and Sanctions Monitoring Team, which aims at gathering information on Iraqi, Libyan, Syrian and Yemeni artefacts seized to facilitate their eventual safe return to their countries of origin, in the spirit of paragraph 17 of resolution 2199 (2015).

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[23] UNESCO, Circular letter 4115 on United Nations Security Council resolution 2199 (2015), 5 May 2015. Available at http://unesdoc.unesco.org/images/0023/002329/232934E.pdf.

[24] UNESCO, Circular letter 4144 on United Nations Security Council resolution 2199 (2015), 11 January 2016. Available at http://unesdoc.unesco.org/images/0024/002432/243249e.pdf.

[25] UNESCO, Circular letters 4100 (6 March 2015), 4115 (5 May 2015), 4144 (11 January 2016), 4156 (18 May 2016) on United Nations Security Council resolution 2199 (2015), available at http://unesdoc.unesco.org/images/0023/002321/232164e.pdf, http://unesdoc.unesco.org/images/0023/002329/232934e.pdf, http://unesdoc.unesco.org/images/0024/002432/243249e.pdf and http://unesdoc.unesco.org/images/0024/002448/244857e.pdf, respectively.

54. Building on the information contained in the UNESCO report on the implementation of resolution 2199 (2015), the Analytical Support and Sanctions Monitoring Team submitted on 13 January 2017 its recommendations to the Security Council. The recommendations, while highlighting the strong cooperation between the Monitoring Team and UNESCO, underlines the importance for UNESCO member States to share information on their national activities to implement the Security Council resolutions (see S/2017/35). The main issues referred to in the report include seized artefacts, fake artefacts, number of criminal cases, measures adopted by Member States, smuggling routes and proposals for strengthening the implementation of resolutions 2199 (2015) and 2253 (2015).

55. On 24 March 2017, the Security Council unanimously adopted resolution 2347 (2017) on the protection of cultural heritage in the event of an armed conflict and stressed in this regard the central role of UNESCO, UNODC and INTERPOL in preventing and countering the illicit trafficking of cultural property. In the resolution, the Council encourages bilateral, regional and international cooperation, specifically in crime prevention and criminal justice responses, including through investigation, cross-border cooperation and exchange of information, as well as the inclusion of the protection of cultural heritage in the mandate of United Nations peacekeeping operations, as appropriate. Moreover, it encourages Member States to consider the adoption of a series of measures with a view to preventing the illicit trafficking of cultural property in the event of armed conflict.

56. In response to the adoption of the above-mentioned resolution, the Director-General of UNESCO wrote to member States on 9 June 2017, requesting them to submit their reports on actions taken nationally to implement the provisions of resolution 2347 (2017).

57. Building on the information contained in the 32 reports transmitted by Member States, UNESCO coordinated the drafting of the report of the Secretary-General on the implementation of resolution 2347 (2017) (see S/2017/969) in cooperation with the Analytical Support and Sanctions Monitoring Team and UNODC. The report focuses on activities undertaken by Member States as well as INTERPOL, the World Customs Organization, the International Institute for the Unification of Private Law and the International Council of Museums to counter the illicit trafficking of cultural property as part of the implementation of resolution 2347 (2017) at the national and international levels.

58. The Secretary-General submitted the report to the Security Council on 30 November 2017. The Director-General of UNESCO also addressed the Council concerning the report, reaffirming the determination of UNESCO to implement the resolution, in cooperation with its partners, and building on the important role of culture and heritage for dialogue and reconciliation in peacebuilding processes.

Emergency actions in conflict zones

59. In addition to its follow-up activities to the relevant Security Council resolutions, UNESCO continues to implement numerous emergency actions, notably in Afghanistan, Iraq, Libya, Mali, the Syrian Arab Republic and Yemen — countries that require specific responses to effectively fight against the illicit trafficking of their cultural property.

60. Following the adoption of the Strategy for Reinforcing UNESCO Actions for the Protection of Culture and the Promotion of Cultural Pluralism in the Event of an Armed Conflict[26] at the thirty-eighth session of the General Conference of UNESCO, in November 2015, UNESCO held a series of capacity-building workshops, in

[26] See https://en.unesco.org/system/files/unesco_clt_strategy_en.pdf.

cooperation with, among others, INTERPOL, the World Customs Organization, UNODC and the International Institute for the Unification of Private Law. The objective was to train cultural heritage professionals, law enforcement authorities and custom officers from the countries affected by conflict situations and from neighbouring countries.[27]

61. In September 2015, the initiative entitled "Protecting cultural heritage — an imperative for humanity: acting together against the destruction and trafficking of cultural property by terrorist groups and organized crime", was organized by the Permanent Missions of Italy and Jordan to the United Nations, with the support of UNESCO, INTERPOL and UNODC. A ministerial meeting introduced the initiative, recalling the existing international instruments, including the relevant UNESCO conventions, and underlining the need to make them more effective.

62. In 2016, as a follow-up to the ministerial meeting, the following three expert meetings were co-organized by the Permanent Missions of Italy and Jordan to the United Nations, together with UNESCO, INTERPOL and UNODC:

- 2 March 2016:[28] "The market and the import/destination of illegaily trafficked cultural property"
- 28 April 2016: [29] "Trafficking and transfer of illegally exported cultural property"
- 27 May 2016:[30] "Destruction of cultural heritage and trafficking and illicit transfer of cultural property — source countries"

63. The outcomes of the meetings included: recommendations on exercising due diligence in the search for the provenance of cultural objects; strengthening border controls; training police and customs; raising awareness among local communities and the art market; and adopting administrative sanctions and preventive measures in the fight against trafficking of cultural property.

64. As a concluding event of this series of initiatives, on 22 September 2016, a high-level meeting was organized in the context of the seventy-first session of the General Assembly. It resulted in a renewed commitment by the international community to sharing responsibility and scaling up responses to counter attacks against culture by combining efforts to protect cultural heritage and education for human rights.

65. INTERPOL, in collaboration with UNESCO, organized a two-day meeting on preventing the circulation and sale of illegally exported Iraqi and Syrian artefacts on the international market and restitution of these artefacts. The meeting was held at the UNESCO Office in Beirut on 14 and 15 December 2016, with the support of the Norwegian Embassy. The aim of the conference was to assess the implementation of UN Security Council Resolution 2199 one year after its adoption.

66. On 30 and 31 March 2017, the Director-General of UNESCO participated in the Group of Seven (G7) ministers of culture meeting, organized in Florence, Italy, on

[27] See www.unesco.org/new/en/safeguarding-syrian-cultural-heritage/ and www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/iraq/.

[28] UNESCO, "Addressing the illicit trafficking of cultural property at the end of the market chain", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/meetings/un-march-meeting/.

[29] UNESCO, "Curbing the illicit trafficking of cultural property: focusing on countries of transition and the application of criminal justice", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/meetings/un-april-meeting/.

[30] UNESCO, "Experts propose prevention, preparedness in fight against unprecedented cultural destruction and illegal trafficking", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/meetings/un-may-meeting/.

the theme "Culture as a tool for dialogue among peoples", dedicated to the protection of cultural heritage and the prevention of illicit trafficking. The goal of the conference was to bring global attention to the issue of culture as a driver for integration, peacebuilding and sustainable development. The representatives from the G7 countries reaffirmed in the declaration made in Florence [31] the importance of international cooperation and action to strengthen the safeguarding of cultural heritage, including, in this regard, the leadership role of UNESCO.

67. The UNESCO Regional Office in Beirut, INTERPOL and the embassy of Norway in Lebanon organized the second conference on the protection of cultural heritage in the Middle East,[32] on 5 and 6 December 2017 in Beirut. The conference's aim was to develop standard procedures for customs and police forces in the fight against the illicit trafficking of cultural property in the region, pursuant to the relevant provisions of Security Council resolutions 2199 (2015), 2253 (2015) and 2347 (2017).

68. UNESCO organized in Beirut, from 16 to 20 April 2018, a conference entitled "Countering antiquities trafficking in the Mashreq: training programme for specialists working to deter cultural property theft and the illicit trafficking of antiquities". The goal of the conference was to strengthen the capacities of law enforcement agencies in Iraq, Lebanon, Libya, the Syrian Arab Republic and Yemen to fight illicit trafficking in cultural property. The Heritage Emergency Fund of UNESCO funded the activity.

Heritage protection in Afghanistan

69. In Afghanistan, following an agreement between UNESCO and the Afghanistan Customs Department, UNESCO supported the Department both financially and technically through a capacity-building workshop on the prevention of illicit trafficking of antiquities and cultural objects for customs officers. This "training of trainers" programme lasted six weeks per year over a three-year period. As a result, six trained instructors of the Afghan National Customs Academy trained 750 customs officers from across Afghanistan.[33] The Academy continued this training throughout 2016 and 2017.[34]

70. A high-level enforcement meeting on integrated solutions for the protection of cultural heritage was organized at the University of Gibraltar, on 17 and 18 November 2016, by the United Nations Conference on Trade and Development (UNCTAD) Centre of Excellence in Gibraltar, in cooperation with the UNESCO office in Kabul. The aim of the meeting was to present a dedicated interface, called EPOCH, developed by UNCTAD and focused on the fight against the illicit trafficking in cultural property, to be integrated into the Afghanistan Customs Department risk-management system. The goal was also to discuss the involvement of UNESCO, INTERPOL, the International Institute for the Unification of Private Law and other international partners in the development of that innovative initiative, which could also be adapted in other countries (such as the Syrian Arab Republic) since the Afghanistan Customs Department risk-management system has already been implemented in over 90 states.

[31] See www.beniculturali.it/mibac/multimedia/MiBAC/documents/1490881204940_DECLARATION-Dichiarazione.pdf.

[32] See https://en.unesco.org/events/second-conference-protection-cultural-heritage-middle-east.

[33] The subject of "illicit traffic of antiquities" was officially added to the Afghan National Customs Academy curriculum. As a result, every customs officer in Afghanistan who goes through the mandatory training at the Academy will be trained on the fight against illicit trafficking of antiquities.

[34] UNESCO, "Afghan customs officers graduate from UNESCO training on the prevention of illicit trafficking of antiquities", 5 March 2014. Available at http://fr.unesco.org/node/184050.

Heritage protection in Iraq

71. UNESCO plays a critical role in Iraq, addressing emergency actions through two parallel activities: the protection of cultural heritage at heightened risk; and long-term recovery and conservation with a view to the sustainable management of cultural heritage.

72. The UNESCO Baghdad office conducted training workshops on risk assessment of museums and preventive conservation through the project entitled "Preventive conservation of Iraqi museum collections and cultural heritage sites at imminent risk", funded by Japan. Additionally, it was able to document damaged sites that had been under the occupation of the Islamic State in Iraq and the Levant, through aerial photography and short-range drone surveys, notably in Mosul, Iraq.

73. UNESCO, in collaboration with the Ministry of Culture of Iraq, organized an international coordination conference on the safeguarding of cultural heritage in liberated areas of Iraq at UNESCO headquarters in Paris on 23 and 24 February 2017. The objective of the conference was to assess the overall situation of cultural heritage in the liberated areas, with a focus on historical buildings and urban heritage, archaeological sites, museums and museum collections, religious heritage, historical manuscripts and the identification of the measures required to counter the illicit trafficking of looted artefacts. Based on that assessment, a prioritized programme for action was agreed and a joint steering committee was established with the Iraqi authorities.

Heritage protection in Libya

74. An international expert meeting on the safeguarding of Libyan cultural heritage was organized in Tunis from 9 to 11 May 2016 by UNESCO and the International Centre for the Study of the Preservation and Restoration of Cultural Property to ensure that international efforts for the support of Libyan professionals and cultural institutions are focused and effective. One of the working groups was dedicated to museums, collections and archives, with discussions on two issues: improvement of the physical state and security of museums; and the prevention of illicit trafficking. The outcomes of the discussions were reflected in an action plan for Libya.[35]

75. As a follow-up to the action plan, the UNESCO office in Cairo, in collaboration with the Libyan Department of Antiquities, studied the modalities to procure supplies to secure collections at risk in western and eastern Libya, specifically the collections held in the Sabratha, Cyrene and Leptis Magna sites and at the National Museum in Tripoli.

Heritage protection in Mali

76. In response to the conflict in Mali in 2012, and in order to fight the looting of West African cultural heritage, the International Council of Museums published a "Red list of West African cultural objects at risk", including a Mali "emergency" section.[36]

[35] UNESCO, "Expert meeting — safeguarding Libyan cultural heritage", available at www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/libya/expert-meeting-2016/.

[36] International Council of Museums, "A red list of West African cultural objects at risk", 20 December 2016. Available at https://icom.museum/en/news/news/article/a-red-list-of-west-african-cultural-objects-at-risk/.

77. In November 2016, with the support of the Republic of Korea, school notebooks were disseminated to youth with the purpose of encouraging them to take ownership of their heritage and understand the importance of the protection of cultural property.

78. A capacity-building workshop took place in Timbuktu, Mali, in February 2017, in cooperation with the United Nations Multidimensional Integrated Stabilization Mission in Mali and the National Directorate of Cultural Heritage, which brought together 200 participants to strengthen actions to eradicate illicit trafficking of cultural property in northern Mali, particularly in Timbuktu, Gao and Kidal.

79. To strengthen the capacities of customs, police and gendarmerie, the UNESCO office in Bamako commissioned a research study, the results of which will be shared with all relevant national stakeholders in order to shed light on the prevention of the illicit trafficking of cultural objects. The UNESCO office in Bamako, in coordination with the UNESCO office in Dakar, organized a subregional workshop in July 2017 that brought together museum professionals, law enforcement and judiciary staff from Guinea, Mali, the Niger and Senegal. The project is aimed at strengthening the capacities of customs, police and military officers on illicit trafficking, in collaboration with INTERPOL.

Heritage protection in the Syrian Arab Republic

80. UNESCO has been closely involved in the protection of Syrian heritage since the beginning of the conflict in 2011. In August 2018, UNESCO completed a four-year programme on the emergency safeguarding of cultural heritage,[37] which has mobilized some 600 professionals.

81. In the framework of the Emergency Safeguarding of the Syrian Cultural Heritage project, funded by the European Union, several capacity-building workshops were held specifically for police, customs and legal personnel in the Syrian Arab Republic and in neighbouring countries. The workshops addressed the legal, procedural and operational components on the illicit trafficking of cultural property and return and restitution of cultural property.

82. In June 2016, with the participation of 230 Syrian and international experts, a two-day meeting was convened to assess damage to cultural heritage sites in the Syrian Arab Republic, develop methodologies and define priority emergency safeguarding measures for the country's heritage. This event was held in Berlin and organized by UNESCO and the German authorities. Participants also addressed the critical and persistent issue of looting and illicit trafficking of cultural heritage. They called for a comprehensive list of looted objects from the Syrian Arab Republic and appealed to all Governments to implement the relevant Security Council resolutions banning the trade in cultural heritage from the country.[38]

Heritage protection in Yemen

83. In July 2015, a two-day expert meeting was held at UNESCO headquarters and resulted in the launch of an Emergency Action Plan for the Safeguarding of Yemen's Cultural Heritage. The Plan responded to the continued threat that the ongoing conflict poses to the country's cultural heritage and focused on the following areas: communication and awareness-raising; knowledge management and information-sharing; and technical assistance, emergency preparedness and response mechanisms.

[37] See https://en.unesco.org/syrian-observatory/emergency-safeguarding-syrian-cultural-heritage-project.

[38] UNESCO, "Syrian and international experts agree on emergency measures to safeguard Syria's heritage", 4 June 2016. Available at www.unesco.org/new/en/media-services/single-view/news/syrian_and_international_experts_agree_on_emergency_measures/.

INTERPOL, the World Customs Organization, the International Federation of Library Associations and Institutions, the International Council of Museums and the International Council on Archives contributed to the illicit trafficking-related components of the plan.

84. As a follow-up to the Action Plan for Yemen, a workshop was organized by the UNESCO office in Doha, from 2 to 4 April 2017, bringing together museum and art market professionals from Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates and governmental experts from Yemen. The purpose of the meeting was to raise awareness in the region, with a special focus on the prevention of illicit trafficking of Yemeni cultural property.

IX. Support from States parties

85. A number of States parties have provided financial contributions in various areas, including:

State	*Contributions*
China	Contribution to the fund of the 1970 Convention
Greece	Informal working groups to the Subsidiary Committee (Delphi, 2016; Crete, 2017)
Germany	• Meeting of experts on the safeguarding of Syrian cultural heritage (Berlin, 2016) • Support for the participation of experts from Africa to the international conference on the theme "Circulation of cultural property and shared heritage"
Indonesia	Subregional workshop on the fight against the illicit trafficking of cultural property and for the promotion of ratifications of the 1970 and UNIDROIT Conventions (Jakarta, 2016)
Italy	Training workshops on the fight against the illicit trafficking of cultural property in Eastern Europe (Albania, 2015; Bosnia and Herzegovina, 2016; Montenegro and Serbia, 2017)
Spain	• National awareness-raising and national information workshop on illicit trafficking of cultural property (Er Rachidia, Morocco, 2016; Marrakech, Morocco, 2016; Tangier, 2016; Fes, 2016) • Regional meeting for the fight against illicit trafficking of cultural property in Central America and the Dominican Republic (Antigua, Guatemala, 2016)
Sweden	Support to human resources of UNESCO
Monaco	Support to human resources of UNESCO
Norway	Awareness-raising activities for Iraq
Netherlands	Training workshop on the fight against illicit trafficking of cultural property for Hanoi, Viet Nam

State	*Contributions*
Turkey	Support to human resources of UNESCO
United Arab Emirates	Workshop on the ethics of collections and the fight against the illicit trafficking of cultural property for the Gulf countries

X. Conclusion

86. Since 2015, threats to cultural heritage have continued to increase and have taken new forms. The illicit trafficking of cultural property is widely used as a source of financing for organized criminal groups and terrorist activities, as recognized by the Security Council, most notably in its resolution 2199 (2015). In response to this, UNESCO and its partners have stepped up efforts to protect cultural heritage in countries affected by conflict, including by promoting international cooperation to curb the illicit trafficking of cultural property. In this regard, efforts will be pursued to promote the universal ratification of the international normative instruments dedicated to the protection of cultural heritage and cultural property. Efforts will also be made to strengthen the capacities of key stakeholders on the return and restitution of cultural objects to their country of origin and to engage with the art market to ensure the application of due diligence principles and the regulation of online sales of cultural property and of free ports and free trade zones.

87. Member States are encouraged:

(a) To promote the universal ratification the 1970 Convention and the UNIDROIT Convention;

(b) To submit regularly their reports on the implementation of Security Council resolutions 2199 (2015) and 2347 (2017);

(c) To report any information regarding seizures of cultural property, especially those originating from a conflict zone;

(d) To put in place preventive measures for the protection of their cultural heritage and the cultural heritage of their neighbours;

(e) To intensify cooperation at the national, regional and international levels;

(f) To participate in capacity-building workshops to ensure the mobilization of relevant stakeholders, including government officials, police, and customs and museum professionals;

(g) To promote the implementation of educational and awareness-raising activities on the fight against the illicit trafficking of cultural property;

(h) To continue to forge relationships with the private sector, including the art market and the financial and trade sectors, to combat money laundering in the art market.